

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

WILLIAM BEITER,  
Plaintiff,  
v.  
CONAGRA, INC., et al.,  
Defendants.

No. CV-05-5023-FVS

ORDER

**THIS MATTER** having come before the Court based upon a motion for summary judgment brought by ConAgra Foods, Inc., and Lamb-Weston, Inc.; the plaintiff having indicated he is not going to resist the motion; Now, therefore

**IT IS HEREBY ORDERED:**

1. The motion for summary judgment brought by ConAgra Foods, Inc., and Lamb-Weston, Inc., (**Ct. Rec. 14**) is granted. The plaintiff's claims against these two defendants are dismissed with prejudice.

**2. The parties shall modify the caption of each pleading or paper filed hereafter to reflect that ConAgra Foods, Inc., and Lamb-Weston, Inc., no longer are parties to this action.**

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order and furnish copies to counsel.

**DATED** this 30th day of August, 2005.

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s/Fred Van Sickle  
Fred Van Sickle  
United States District Judge